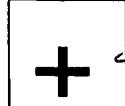


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CONTINUED EXAMINATION (RCE)
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Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/902,634
Filing Date	July 10, 2001
First Named Inventor	Ashkenazi, et al.
Group Art Unit	1646
Examiner Name	Chernyshev, Olga N.
Attorney Docket Number	39780-1618P2C30

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. s 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. §1.114.
a.	<input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on <i>(Any unentered amendment(s) referred to above will be entered)</i> ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on iii. <input type="checkbox"/> Other
b.	<input checked="" type="checkbox"/> Enclosed <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> Preliminary Amendment ii. <input checked="" type="checkbox"/> Affidavit(s)/Declaration(s) – Sherman Fong, Ph.D., with Exhibits A-I iii. <input type="checkbox"/> Information Disclosure Statement (IDS) iv. <input checked="" type="checkbox"/> Other – Substitute Specification; Statement under C.F.R. 1.125(b).
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b.	<input type="checkbox"/> Other
3.	Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed. <ul style="list-style-type: none"> a. <input type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 08-1641 (Docket No. 39780-1618P2C30) <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) = \$790.00 ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) iii. <input type="checkbox"/> Other b. <input type="checkbox"/> Check in the amount of \$ enclosed c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	DAPHNE REDDY	Registration No. (Attorney/Agent)	53,507
Signature	<i>Daphne Reddy</i>	Date	OCTOBER 4, 2004

09902634

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post office to Addresses" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop **RCE**, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date: **October 4, 2004**

Name (Print/Type)	CHERYL ROGERS	Date:	October 4, 2004
Signature	<i>Cheryl Rogers</i>	Express Mail Label:	EL 993 689 409 US

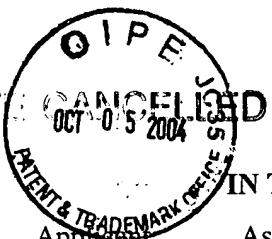
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ashkenazi et al.

Docket No.:

39780-1618P2C30

Serial No.:

09/902,634

Group Art Unit:

1646

Filing Date:

July 10, 2001

Examiner:

Olga Chernyshev

SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME

For: **C35**

PATENT & TRADEMARK OFFICE: Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

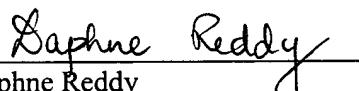
STATEMENT UNDER 37 C.F.R. §1.125(b)

Sir:

I hereby state, as required by 37 C.F.R. §1.125(b), that the accompanying substitute specification includes no new matter. I further submit that the changes requested in the accompanying amendment do not include new matter and merely requests the same changes previously entered by amendment in the above and parallel applications.

Respectfully submitted,

Date: October 4, 2004


Daphne Reddy
Reg. No. 53,507

HELLER EHRLICH WHITE & McAULIFFE LLP

Customer No. 35489

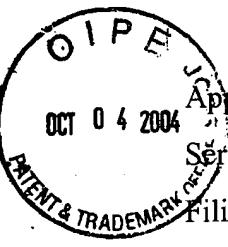
275 Middlefield Road

Menlo Park, California 94025

Telephone: (650) 324-7000

Facsimile: (650) 324-0638

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi et al. Docket No.: 39780-1618P2C30
Serial No.: 09/902,634 Group Art Unit: 1646
Filing Date: July 10, 2001 Examiner: Chernyshev, Olga N.
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND
NUCLEIC ACIDS ENCODING THE SAME**

EXPRESS MAIL LABEL NO. EL 993 689 409 US

Date Mailed: October 4, 2004

PRELIMINARY AMENDMENT

MS: RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Preliminary amendment accompanies a Request for Continued Examination (RCE) under 37 CFR § 1.114 for the above identified application. A Notice of Appeal was filed August 4, 2004 in this case. This RCE filing and Preliminary amendment are being timely filed with necessary fees. Accompanying this filing is a "Substitute Specification" with a Statement filed under 37 CFR § 1.125(b), a Declaration by Sherman Fong, Ph.D with exhibits A-I and a copy of his curriculum vitae. Entry of the substitute specification, declaration and amendments are respectfully requested.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 10 of this paper.

Remarks/Arguments begin on page 11 of this paper.